

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

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NEW MEXICO UNITED FOOD AND )  
COMMERCIAL WORKERS UNION'S AND )  
EMPLOYERS' HEALTH AND WELFARE TRUST )  
FUND, on behalf of itself and all others similarly )  
situated, )  
Plaintiff, )  
v. )  
PURDUE PHARMA L.P., PURDUE PHARMA, )  
INC., THE PURDUE FREDERICK COMPANY, )  
INC. d/b/a THE PURDUE FREDERICK )  
COMPANY, P.F. LABORATORIES, INC., )  
ABBOTT LABORATORIES, ABBOTT )  
LABORATORIES, INC., MICHAEL FRIEDMAN, )  
HOWARD R. UDELL, PAUL D. GOLDENHEIM, )  
JOHN DOE Nos. 1 through 20, and JANE DOE Nos. )  
1 through 20, )  
Defendants. )

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**Civil Action No. 07-cv-6916-JGK**

**MOTION TO ADMIT COUNSEL  
*PRO HAC VICE***

U.S. DISTRICT COURT  
2007 NOV 27 PM 4:23  
S.D. NEW YORK  
FILED

PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, I, Christopher A. Seeger, a member in good standing of the bar of this Court, hereby move for an Order allowing the admission *pro hac vice* of:

Shane Youtz  
Youtz & Valdez, P.C.  
900 Gold Avenue SW  
Albuquerque, NM 87102  
(505) 244-1200 – Telephone  
(505) 244-9700 - Facsimile

Shane Youtz is a member in good standing of the Bar of the State of New Mexico. There are no pending disciplinary proceedings against him in any State or Federal Court. Attached hereto as Exhibit 1 is Mr. Youtz' Affidavit, with Exhibit A, an original Certificate of Good Standing from the New Mexico Supreme Court attached thereto.

Dated: November 26<sup>th</sup>, 2007

Respectfully Submitted,

SEEGER WEISS LLP

By: \_\_\_\_\_

Christopher A. Seeger (CS-4880)  
One William Street  
New York, NY 10004  
Telephone: (212) 584-0700  
Facsimile: (212) 584-0799

*Counsel for Plaintiff and the Class*

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

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NEW MEXICO UNITED FOOD AND COMMERCIAL WORKERS UNION'S AND EMPLOYERS' HEALTH AND WELFARE TRUST FUND, on behalf of itself and all others similarly situated,	})	Civil Action No. 07-cv-6916 -JGK
Plaintiff,	})	
v.	})	AFFIDAVIT OF CHRISTOPHER A. SEEGER IN SUPPORT OF MOTION TO ADMIT COUNSEL <i>PRO HAC VICE</i>
PURDUE PHARMA L.P., PURDUE PHARMA, INC., THE PURDUE FREDERICK COMPANY, INC. d/b/a THE PURDUE FREDERICK COMPANY, P.F. LABORATORIES, INC., ABBOTT LABORATORIES, ABBOTT LABORATORIES, INC., MICHAEL FRIEDMAN, HOWARD R. UDELL, PAUL D. GOLDENHEIM, JOHN DOE Nos. 1 through 20, and JANE DOE Nos. 1 through 20,	})	
Defendants.	})	

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State of New York	)
	)ss:
County of New York	)

Christopher A. Seeger, being duly sworn, hereby deposes and says as follows:

1. I am a member of Seeger Weiss LLP, counsel for Movant, New Mexico United Food and Commercial Workers Union's and Employers' Health and Welfare Trust Fund ("Movant"), in the above-captioned action. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of Movant's motion to admit Shane Youtz as counsel *pro hac vice* to represent Movant in this matter.
  
2. I am a member in good standing of the bar of the State of New York, and was admitted to practice law in 1990. I am also admitted to the bar of the United States

District Court for the Southern District of New York, and am in good standing with this Court.

3. I believe Mr. Youtz to be a skilled attorney and a person of integrity. He is experienced in federal practice and is familiar with the Federal Rules of Civil Procedure.

4. Accordingly, I am pleased to move the admission of Shane Youtz, *pro hac vice*.

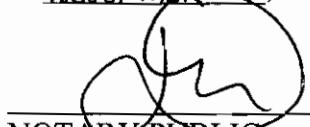
5. I respectfully submit a proposed order granting the admission of Shane Youtz, *pro hac vice*, which is attached hereto.

WHEREFORE, it is respectfully requested that the motion to admit Shane Youtz, *pro hac vice*, to represent Movants in the above-captioned matter, be granted.



Christopher A. Seeger

Sworn before me this 26<sup>th</sup> day  
of NOVEMBER, 2007



NOTARY PUBLIC

 Jose D. Mora  
Notary Public State of New York  
No. 03-0032383 Qualified in Bronx County  
Certificate Filed in New York County  
Commission Expires August 6, 2009

**CERTIFICATE OF SERVICE**

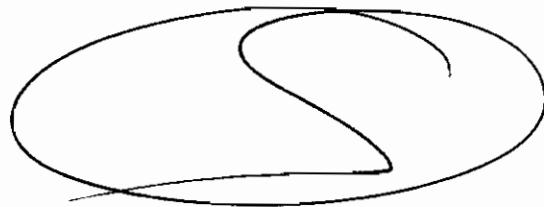
I, Christopher A. Seeger, hereby certify that on November 26 2007, I caused a true and correct copy of the foregoing document, ***Motion to Admit Counsel Pro Hac Vice***, to be served via U.S. mail, with proper postage prepaid, on all counsel of record at the following addresses:

Michael Colbert Hartmere, Esq.  
Matthew Terrence McLaughlin, Esq.  
**VENABLE (NYC)**  
405 Lexington Ave, 62nd Floor  
New York, NY 10174  
T. (212)-307-5500  
F. (212)-307-5598 (fax)

*Counsel for defendants Abbott Laboratories, Abbott Laboratories, Inc.*

Alexandra Katherine Nellos, Esq.  
Donald I. Strauber, Esq.  
Phoebe Anne Wilkinson, Esq.  
Mary Therese Yelenick, Esq.  
**CHADBOURNE & PARKE LLP (NY)**  
30 Rockefeller Plaza  
New York, NY 10112  
T. (212) 408-5100  
F. (646) 710-1189

*Counsel for defendants P.F. Laboratories, Inc., Purdue Pharma, Inc., Purdue Pharma, L.P., The Purdue Fredrick Company, Inc., Howard R. Udell, Michael Friedman, Paul D. Goldenheim*

A handwritten signature in black ink, appearing to read "Christopher A. Seeger", is enclosed within a large, roughly oval-shaped outline.

Christopher A. Seeger

# **Exhibit 1**

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

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COMMERCIAL WORKERS UNION'S AND )	
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HOWARD R. UDELL, PAUL D. GOLDENHEIM, )	
JOHN DOE Nos. 1 through 20, and JANE DOE Nos. )	
I through 20, )	
Defendants. )	

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**Civil Action No. 07-cv-6916-JGK**

**AFFIDAVIT OF SHANE YOUTZ,  
ESQUIRE**

I, Shane Youtz, Esquire, a partner with Youtz & Valdez, P.C., in Albuquerque, New Mexico, declare the following under penalty of perjury:

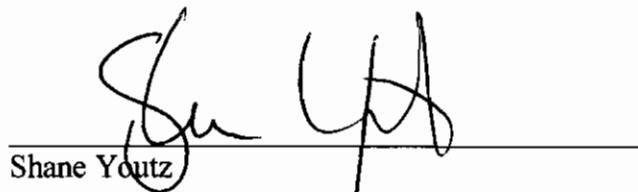
1. I am a member in good standing of the bar of the State of New Mexico and am admitted to practice before the United States District Court for the District of Pennsylvania, the District of New Mexico. I have never been disciplined, suspended or disbarred by these or any other Court.

2. Attached hereto is the Certificate attesting to my admission date and that I am a member in good standing in the bar of the State of New Mexico.

3. I have extensive experience in state and federal trial courts. I also have extensive experience in class action litigation, specializing in wage and hour litigation and consumer antitrust litigation, including *Thiebes, et. al. v. Wal-Mart Stores, Inc.*, 3:98-CV-00802-KI (USDC

Oregon), wherein plaintiffs were awarded a multi-million dollar verdict for unpaid wages. I have also served as counsel in class action litigations in New Mexico and California, and Texas, Michigan, West Virginia, and Oregon, where I have been admitted *pro hac vice*. I also presently serve as Union counsel for the Union Trustees of the New Mexico UFCW Union's and Employers' Health and Welfare Trust Fund, and the Fund has asked that I participate as co-counsel.

4. Based upon the foregoing, I respectfully request admission to this Court, pursuant to Rule 1.3(c) of the Local Rules of the United States District Courts for Southern District and Eastern District of New York, for the purpose of appearing and arguing on behalf of plaintiff, which is represented by the firm, Seeger Weiss LLP.



Shane Youtz

Sworn before me this 8th day  
of November, 2007



Allison D. Keele  
Notary Public

My Commission Expires: 11-15-2010

# **Exhibit A**



**IN THE SUPREME COURT OF THE STATE OF NEW MEXICO**

## *Certificate*

STATE OF NEW MEXICO }  
SUPREME COURT } ss.

*I, KATHLEEN JO GIBSON, Chief Clerk of the Supreme Court of the State of New Mexico,  
hereby certify that SHANE YOUTZ  
was admitted to practice law in the Supreme Court and other courts of the State of New Mexico  
on October 8, 1998, and has at all times since been and is now a  
member of the Bar of said Supreme Court in good standing.*

*“Good standing” means that the attorney is current on payment of State Bar dues; has complied with Minimum Continuing Legal Education requirements; and is not presently under either administrative or disciplinary suspension. No disciplinary action involving professional misconduct has been taken against the attorney’s law license. This certification expires 30 days from this date, unless sooner revoked or rendered invalid by operation of rule or law.*

WITNESS, *My official signature and the seal*  
of said Court this 9th day of  
November, 2007

Chief Clerk of the Supreme Court  
of the State of New Mexico

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

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NEW MEXICO UNITED FOOD AND	)	Civil Action No. 07-cv-6916-JGK
COMMERCIAL WORKERS UNION'S AND	)	
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FUND, on behalf of itself and all others similarly	)	
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INC. d/b/a THE PURDUE FREDERICK	)	
COMPANY, P.F. LABORATORIES, INC.,	)	
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HOWARD R. UDELL, PAUL D. GOLDENHEIM,	)	
JOHN DOE Nos. 1 through 20, and JANE DOE Nos.	)	
1 through 20,	)	
Defendants.	)	

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**ORDER FOR ADMISSION  
*PRO HAC VICE* ON  
WRITTEN MOTION**

Upon the motion of Christopher A. Seeger, attorney for New Mexico United Food and Commercial Workers Union's and Employers' Health and Welfare Trust Fund, and said sponsor attorney's affidavit in support;

IT IS HEREBY ORDERED that:

Shane Youtz  
 Youtz & Valdez, P.C.  
 900 Gold Avenue SW  
 Albuquerque, NM 87102  
 T. (505) 244-1200  
 F. (505) 244-9700  
 Email: [shane@youtzvaldez.com](mailto:shane@youtzvaldez.com)

is admitted to practice *pro hac vice* as counsel for New Mexico United Food and Commercial Workers Union's and Employers' Health and Welfare Trust Fund in the above-captioned case in

the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at [nysd.uscourts.gov](http://nysd.uscourts.gov). Counsel shall forward the *pro hac vice* fee to the Clerk of Court.

Dated: November \_\_\_, 2007  
New York, New York

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United States District Court Judge